

The 14th August, 1982

No. 9(1)82-6Lab./7056.—In pursuance of the provision of the section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workman and the management of M/s. Sub-Divisional Engineer, Haryana Urban Development Authority, Sub-Division No. IV, Hissar.

BEFORE SHRI BANWARI LAL DALAL, PRESIDING OFFICER, LABOUR COURT, HARYANA, ROHTAK

Reference No. 202 of 1980

between

SHRI GANGA RAM, WORKMAN AND THE MANAGEMENT OF M/S SUB-DIVISIONAL ENGINEER, HARYANA URBAN DEVELOPMENT AUTHORITY, SUB-DIVISION NO. IV, HISSAR

Present.—

No one, for the workman.

Shri M. Kaushik L. O. HUDA, for the management.

AWARD

This reference has been referred to this court by the Hon'ble Governor,—*vide* his order No. ID/H-SR/44-80/50512, dated 22nd September, 1980 under section 10(i) (c) of the Industrial Disputes Act for adjudication of the dispute existin between Shri Ganga Ram, workman and management of M/s Sub-Divisional Engineer, Haryana Urban Development Authority, Sub-Division No. IV, Hissar. The term of the reference was :—

Whether the termination of services of Shri Ganga Ram was justified and in order? If not to what relief is he entitled?

On the receipt of the order of reference notices as usual were sent to the parties. The parties put in their appearance on 5th February, 1981. The workman did not appear on 27th April, 1981 and was sent with a fresh notice. None appeared on behalf of the workman on 28th July, 1981 also. The workman was then proceeded against *ex parte*. The management obtained two three adjournments for their evidence and 9th February, 1982 the management produced a letter which was written by them to the Sarpanch, Gram Panchayat Siswal, district Hissar asking the sarpanch to supply them the necessary information about the death of the workman concerned. The sarpanch of the Gram Panchayat Siswal supplied the information duly thumb-marked by him under the seal of the Gram Panchayat that the workman had died on 31st May, 1980 and the entry of the same in the book kept by the chowkidar was at Serial No. 7.

This was a sufficient proof of the death of the workman. The right to pursue the demand raised on the management by the workman for his reinstatement is a personal right and the same is not maintainable on the death of the workman and hence abates. The reference is answered and returned accordingly.

Dated the 30th June, 1982.

BANWARI LAL DALAL,

Presiding Officer,  
Labour Court, Haryana,  
Rohtak.

Endorsement No. 1623, dated the 5th July, 1982.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act.

BANWARI LAL DALAL,

Presiding Officer,  
Labour Court, Haryana,  
Rohtak.

H. L. GUGNANI,

Commissioner and Secretary to Government, Haryana,  
Labour and Employment Departments.